

1 IN THE UNITED STATES BANKRUPTCY COURT FOR  
2 THE DISTRICT OF PUERTO RICO

3 IN THE MATTER OF:

4 RAFAEL DIAZ RIVERA

5 XXX-XX-0130

CASE NO. 11-05181 ESL

Chapter 7

6 FILED & ENTERED ON 10/25/2011

7 Debtor(s)

9 DISCHARGE OF DEBTOR

10 It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The  
11 debtor is granted a discharge under section 727 of title 11, United States Code,  
12 (the Bankruptcy Code).

13 San Juan, Puerto Rico, this 25 day of October, 2011.

15 BY THE COURT

16   
17 Enrique S. Lamotte Inclan  
18 U.S. Bankruptcy Judge

19 cc: all creditors

22 SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

1                   **EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE**

2        This court order grants a discharge to the person named as the debtor. It is  
3        not a dismissal of the case and it does not determine how much money, if any, the  
4        trustee will pay to creditors.

5        Collection of Discharged Debts Prohibited

6        The discharge prohibits any attempt to collect from the debtor a debt that  
7        has been discharged. For example, a creditor is not permitted to contact a  
8        debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach  
9        wages or other property, or to take any other action to collect a discharged debt  
10       from the debtor. [In a case involving community property:] [There are also  
11        special rules that protect certain community property owned by the debtor's  
12        spouse, even if that spouse did not file a bankruptcy case.] A creditor who  
13        violates this order can be required to pay damages and attorney's fees to the  
14        debtor.

15       However, a creditor may have the right to enforce a valid lien, such as a  
16        mortgage or security interest, against the debtor's property after the  
17        bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case.  
18       Also, a debtor may voluntarily pay any debt that has been discharged.

19       Debts That are Discharged

20       The chapter 7 discharge order eliminates a debtor's legal obligation to pay  
21        a debt that is discharged. Most, but not all, types of debts are discharged if  
22        the debt existed on the date the bankruptcy case was filed. (If this case was  
23        begun under a different chapter of the Bankruptcy Code and converted to chapter  
24        7, the discharge applies to debts owed when the bankruptcy case was converted.)

25       Debts that are Not Discharged

26       Some of the common types of debts which are not discharged in a chapter 7  
27        bankruptcy case are:

- 28       a. Debts for most taxes;
- 29       b. Debts that are in the nature of alimony, maintenance or support;
- 30       c. Debts for most student loans;
- 31       d. Debts for most fines, penalties, forfeitures, or criminal  
32           restitution obligations;
- 33       e. Debts for personal injuries or death caused by the debtor's  
34           operation of a motor vehicle while intoxicated;
- 35       f. Some debts which were not properly listed by the debtor;
- 36       g. Debts that the bankruptcy court specifically has decided or will  
37           decide in this bankruptcy case are not discharged;
- 38       h. Debts for which the debtor has given up the discharge protections by  
39           signing a reaffirmation agreement in compliance with the Bankruptcy  
40           Code requirements for reaffirmation of debts.

41       This information is only a general summary of the bankruptcy discharge.  
42       There are exceptions to these general rules. Because the law is complicated, you  
43       may want to consult an attorney to determine the exact effect of the discharge in  
44       this case.